

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEPHANALE ADAMS,

Plaintiff,

v.

DENNIS HOWE, SCOTT BICKEL,
TERRI JOHNSON-WISE,

Defendants.

Civil No. 10-13529

Honorable David M. Lawson

Magistrate Judge Laurie J. Michelson

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING
PLAINTIFF'S MOTIONS FOR DEFAULT JUDGMENT**

Presently before the Court is the report issued on April 13, 2011 by Magistrate Judge Laurie J. Michelson pursuant to 28 U.S.C. § 636(b). Judge Michelson recommended denying the plaintiff's motions for default judgment as to the defendants because the plaintiff has not complied with the procedural requirements for obtaining a default judgment, the docket reflects that the defendants have not been served properly, and the defendants may waive the right to reply to the prisoner's complaint under the Prison Litigation Reform Act, 42 U.S.C. § 1997e(g)(1).

The magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report. As of the date of this order, no objections have been filed. A party's failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation [dkt # 11] is **ADOPTED**.

It is further **ORDERED** that the plaintiff's motions for default judgment as to all defendants [dkt #7, 8] are **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: May 4, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 4, 2011.

s/Deborah R. Tofil
DEBORAH R. TOFIL